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PTO/SB/30 (08-00)  
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/848,959
Filing Date	5/3/01
First Named Inventor	YUAN
Group Art Unit	1617
Examiner Name	HUI, S.
Attorney Docket Number	D.297

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JUN 25 2002  
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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 5/22/02  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed copy of previously submitted on 5/22/02.
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-0885
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 06/24/2002 BNGUYEN1 00000048 010885 09848159
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:179 740.00 CH
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	FRANK J. UXA	Registration No. (Attorney/Agent)	25,612
Signature	<i>Frank J. Uxa</i>	Date	6/20/02

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: JUNE 20, 2002

Name (Print/Type)	JANET MCGHEE	Date	June 20, 2002
Signature	<i>Janet McGhee</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

#10  
AKO  
7-9-02

AMENDMENT TRANSMITTAL LETTER

In re application of: Yuan et al.

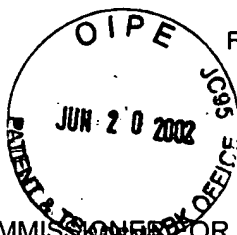
Serial No.: 09/848,159

Examiner: Hui, S.

Filed: May 3, 2001

Group Art Unit: 1617

For: METHODS OF TREATING HYPERLIPIDEMIA



COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

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ocket: D2977

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.

The filing fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	26	MINUS	26	0
INDEP.	2	MINUS	3	0
<input type="checkbox"/> First Presentation of Multiple Dep. Claim				

## SMALL ENTITY

RATE	ADDIT. FEE
x 9	0
x 40	0
+135	0
Total Addit. Fee	0

or

OTHER THAN  
SMALL ENTITY

RATE	ADDIT. FEE
x18	-0-
x 80	-0-
+270	-0-
Total Addit. Fee	0

or

of time fee.

- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 01-0885.

☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

I hereby certify that this correspondence is being  
transmitted via facsimile to the Commissioner for Patents in  
Washington, DC 20231, to fax number 703-308-4556,  
on or before May 22, 2001.

*Janet McGhee*  
JANET MCGHEE

Date : May 22, 2002

Respectfully submitted,

*Frank J. Lixa*  
Frank J. Lixa

Attorney for Applicant  
Registration Number: 25,612  
STOUT, UXA, BUYAN & MULLINS, LLP  
4 Venture, Suite 300  
Irvine, CA 92618  
phone (949) 450-1750

# MEMORY TRANSMISSION REPORT



TIME : MAY-22-02 15:01  
TEL NUMBER: 9494501764  
NAME : STOUT, UXA, BUYAN & MULLINS LLP

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FILE NUMBER : 231  
DATE : MAY-22 14:56  
TO : 17033084556  
DOCUMENT PAGES : 06  
START TIME : MAY-22 14:59  
END TIME : MAY-22 15:01  
SENT PAGES : 06

FILE NUMBER : 231 \*\*\* SUCCESSFUL TX NOTICE \*\*\*

FORM PTO-1083 (Rev. 10/98)

## AMENDMENT TRANSMITTAL LETTER

Docket: D-2977

In re application of: Yuan et al.  
Serial No.: 09/848,159 Examiner: Hui, S.  
Filed: May 3, 2001 Group Art Unit: 1617  
For: METHODS OF TREATING HYPERLIPIDEMIA

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- [ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- [ ] No additional fee is required.

The filing fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	28	MINUS	28	0
INDEP.	2	MINUS	3	0
[ ] First Presentation of Multiple Dep. Claim				

### SMALL ENTITY

RATE	ADDIT. FEE
x 0	0
x 40	0
x 135	0
Total Addit. Fee	0

### OTHER THAN SMALL ENTITY

RATE	ADDIT. FEE
x 18	-0-
x 60	-0-
x 270	-0-
Total Addit. Fee	0

of time fee.

- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 01-0885.

- [X] Any additional filing fees required under 37 CFR 1.16.
- [X] Any patent application processing fees under 37 CFR 1.17.

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents in Washington, DC 20231, to fax number 703-308-4556 on or before May 22, 2002.

*Janet McGhee*  
JANET MCGHEE

Date: May 22, 2002

Respectfully submitted,

*Frank J. Uxa*

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PATENT

In the application of: )  
Yuan et al ) Group Art Unit: 16  
Serial No. 09/848,159 ) Examiner: Hui, S.  
Filed: May 3, 2001 )

For: METHOD FOR TREATING HYPERLIPIDEMIA

Express Mail Mailing Label No. EV059889618US

Date of Deposit: June 20, 2002

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, Box RCE, Washington, D.C. 20231:

1. RCE Transmittal Letter;
2. Copy of the previously filed Amendment.

The 2 above-identified documents are enclosed herewith.

Respectfully submitted,

Janet E. McGhee, Office of  
Frank J. Uxa  
Attorney for Applicant.  
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FJUxa/jm